

AFFIDAVIT OF JERRY HILL

STATE OF FLORIDA

COUNTY OF POLK

BEFORE ME, the undersigned authority, personally appeared JERRY HILL, who being first duly sworn deposes and says:

1. I, Jerry Hill, am over the age of eighteen years and a resident of Polk County, Florida. I have been a member of The Florida Bar since 1973, and have served as the State Attorney for the Tenth Judicial Circuit of Florida since January of 1985. During my tenure as State Attorney, I have had the opportunity to lead several state attorney and grand jury investigations into the misconduct of public officials, including members of the judiciary. I also have served as a member and chairman of a Florida Bar Grievance Committee for the Tenth Judicial Circuit. Finally, I have had the occasion as State Attorney to examine cases and ask the governor to appoint another state

attorney to prosecute those cases so as to avoid the appearance of conflict or impropriety.

2. I am not kin to the Honorable Gregory P. Holder, and I am not kin to Judge Holder's counsel in Inquiry 02-487, S. Ct. Case No.: SCO3-1 171.

3. I am aware of the fact that four Hearing Panel members, who will sit in judgment in the current proceeding against Judge Holder, previously served on a JQC Investigative Panel that investigated Judge Holder on charges of providing a false or misleading answer in connection with his application for a federal judgeship. These members are Judge John P. Kuder, Judge Thomas B. Freeman, Dr. Leonard Haber, and Mr. Ricardo Morales, III. As a result of the investigation conducted by that Investigative Panel, of which these four individuals were members, the panel voted that probable cause existed to file formal charges against Judge Holder.

4. Based on both my experience and the facts outlined above, it is my opinion that Judge Holder cannot receive a fair hearing before Judge John P. Kuder, Judge Thomas B. Freeman, Dr. Leonard Haber, and Mr. Ricardo Morales, III,

because of their past involvement as accuser, witness, judge, and/or jury in past JQC proceedings involving Judge Holder. Further, the failure of Judge John P. Kuder, Judge Thomas B. Freeman, Dr. Leonard Haber, and Mr. Ricardo Morales, III, to disqualify or recuse themselves clearly will create an appearance of impropriety. Under these circumstances, these four Hearing Panel members' impartiality can reasonably be questioned as a result of prejudice or bias concerning Judge Holder and because of their status as material witnesses to Judge Holder's credibility and veracity.


JERRY HILL

SWORN TO AND SUBSCRIBED before me this 3rd day of August, 2004, by JERRY HILL, who is personally known to me.


NOTARY PUBLIC

Printed Name: LORENA P. DIAZ

My Commission Expires: Oct. 6, 2006

(seal)

"Official Notary Seal"

LORENA P. DIAZ

Notary Public, State of Florida

My Commission Expires Oct. 6, 2006

Commission Number DD154215